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09/603,339

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James Alan Strothmann

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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2623

MAIL DATE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/603,339

**Applicant(s)**

STROTHMANN ET AL.

**Examiner**

Annan Q. Shang

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,6,9-17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,9-17,19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 6, 9-11, 14-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kanazawa et al (6,580,870)** in view of **Velez et al (6,678,006)** previously cited and further in view of **Adolph et al (6,370,323)**.

As to claims 1-3, note the **Kanazawa** reference figures 1-2, discloses systems and methods for reproducing audiovisual information with external information and further discloses a method for providing graphics for display, the claimed method comprises the following:

Receiving a bitstream (Set top box 'STB' or IRD, 'a digital interface' col.8, lines 48-65) including an MPEG compliant program bitstream and a DVD subpicture compliant bitstream (figs.1-2 and 12, col.4, line 45-col.5, line 34 and col.7, lines 11-30);

Extracting (CPU-1, col.6, lines 32-col.7, line 10) and decoding (MPEG-Decoder 112, col.10, line 55-col.11, line 15) the MPEG compliant bitstream to generate a program image signal (figs.10A-13C, 19A-B, col.14, lines 40-54 and col.15, lines 32-67);

Extracting (CPU-1) and decoding (MPEG-Decoder 112, col.10, line 55-col.11, line 15) DVD subpicture compliant bitstream to generate a graphic image signal (col.17,

line 50-col18, line 23) and buffering at least one of the DVD subpicture compliant bitstreams (col.14, lines 40-54 and col.15, lines 11-18);

Combining the program image signal and the graphic image signal to provide and output display signal (VGA Controller 113, 'a display processor' col.14, line 55-col.15, line 31),

Kanazawa discloses storing titles information and information management table (MEG-2 video, audio, subpicture, etc.,) on DVD (40) and displays individual streams (ST-1 to ST-2) with interactive regions that when selected (via a Web Mark) causes display of other DVD subpicture graphics associated with the subpicture compliant bitstreams (figs.10A-13C, col.4, line 50-col.5, line 63, col.6, line 14-col.7, line 46 and col.14, line 40-col.16, line 40), note that MPEG bit data and DVD bit data and transmitting over Internet to a receiver and furthermore discloses embodiment where the invention is applied to TV broadcasting or CATV network, where a provider transmits the bitstream and a STB or IRD with an MPEG Decoder/DVD Decoder 112 decodes the bitstream and reproduces the video, audio, subpicture, etc.

Kanazawa fails to explicitly teach where a portion of the DVD subpicture compliant bitstream is repeated in the received bitstream.

However, **Velez** discloses method and apparatus for video processing that includes DVD sub-picture scaling where the subpicture bitstream repeats within a received stream (figs.1-5, col.2, line 48-col.3, line 58).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Velez into the system of Kanazawa to

provide constant movement of the information across the screen of the display, thereby drawing the attention of the user to the moving or scrolling information.

Kanazawa as modified by Velez, fail to explicitly teach interactive regions within the subpicture.

However, note the **Adolph** reference figures 1-4, discloses and audio and video decoder for decoding audio, video and sub-picture from DVD bitstream with a plurality of interactive regions within the decoded subpicture to display other presentation information (col.6, line 64-col.7, line 33, line 41-55 and col.8, line 27-col.9, line 9).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Adolph into the system of Kanazawa as modified by Velez to provide interactive regions within the subpicture to additionally draw the attention of the user to the interactive regions to enable the user to interact directly to the interactive regions within the subpicture to retrieve additional information.

As to claim 5, Kanazawa further discloses where the DVD subpicture compliant bitstream comprises an MPEG still image (col.5, lines 1-54 and col.11, line 16+)

As to claim 6, Kanazawa further discloses where the DVD subpicture compliant bitstream comprises a program guide (col.5, lines 1-54).

Claim 9 is met as previously discussed with respect to claim 1

As to claim 10, the claimed "a video signal processing apparatus..." is composed of the same structural elements that were discussed in the rejection of claim 1.

As to claim 11, Kanazawa further discloses where the receiving means comprises a digital interface and a demodulator coupled to the digital interface and the

MPEG decoder (figs.1, 16, 17, col.4, lines 42-62, col.12, line 4-9 and col.14, line 16-65).

Claim 14 is met as previously discussed with respect to claim 3.

Claim 15 is met as previously discussed with respect to claim 1.

Claim 16 is met as previously discussed with respect to claim 3.

Claim 17 is met as previously discussed with respect to claim 6.

As to claim 19, the claimed "a video signal processing apparatus..." is composed of the same structural elements that were discussed in the rejection of claim 1.

As to claim 20, Kanazawa further discloses where the bitstream from the remote signal source further comprises at least a two MPEG compliant program bitstreams transmitted substantially concurrently by the remote signal source (col.5, lines 1-54 and col.11, line 16+ and col.14, line 40-col.16, line 40).

3. Claims 12-13, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kanazawa et al (6,580,870)** in view of **Velez et al (6,678,006)** and further in view of **Adolph et al (6,370,323)** as applied to claim 10 above, and further in view of **Suzuki (6,344,836)**.

As to claim 12, Kanazawa as modified by Velez and Adolph, fail to specifically teach where the digital interface is IEEE 1394 digital Interface or a USB digital interface.

However, note **Susuki**, reference figure 1, disclose an information browsing system with one system device and a plurality of displays connected to the system device 10 via USB digital interface or IEEE-1394 (fig. 1 and col. 5, lines 10-23 and col.6, line 6-20).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Suzuki into the system of Kanazawa as modified by Velez and Adolph to provide and high speed interface that transfers good quality video with low bandwidth and easily connects devices together.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-3, 5, 6, 9-17, 19 and 20 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims necessitated the new ground(s) of rejection discussed above. This office action is made final.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Huizer et al (5,875,303) disclose method and arrangement for transmitting an interactive audiovisual program.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.



Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized circular flourish at the end.

**Annan Q. Shang**